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IN THE

Supreme Court of the United States

October Term, 1948

No. 511

IN THE MATTER OF

THE PEORIA AND EASTERN RAILWAY COMPANY

INCOME BONDHOLDERS OF THE PEORIA AND EASTERN RAILWAY COMPANY,

Petitioners,

v.

THE NEW YORK CENTRAL RAILROAD COMPANY, THE CLEVELAND, CINCINNATI, CHICAGO AND ST. LOUIS RAILWAY COMPANY and THE PEORIA AND EASTERN RAILWAY COMPANY.

MOTION TO DISPENSE WITH THE PRINTING OF THE RECORD AS REQUIRED UNDER RULE 38, PARAGRAPHS 1 AND 7, ON CONSIDERATION OF THE PETITION FOR A WRIT OF CERTIORARI

CHARLES S. ARONSTAM,
ARTHUR A. BALLANTINE,
JOHN M. HARLAN,
Counsel for Petitioners.

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Petitioners have filed with this Court a petition for a writ of certiorari to the United States District Court for the Southern District of New York, pursuant to §745 of the Bankruptcy Act, as enacted in 53 Stat. 1134 (1939), to re-

view the final decree of that Court, entered November 16, 1948, in the Railroad Adjustment Proceeding entitled In the Matter of The Peoria and Eastern Railway Company.

The transcript of record certified to this Court is extremely voluminous. It was not printed upon the review of the Special Master's Report in the Special District Court. It consists of over 4,000 typewritten pages of testimony and over 550 exhibits (which, it is estimated, contain well over 30,000 pages), as well as opinions, orders, petitions, answers, and other court papers.

Most of this material is unnecessary to the consideration of the petition for the writ. Those portions of the record which petitioners deem necessary to consideration of the questions presented have been printed as an exhibit to the petition, separately bound, and called Supplement I; in addition, ten copies of the report of the Special Master are being furnished for the use of this Court.

WHEREFORE, petitioners pray for an order dispensing with the printing of the certified transcript of record in this case in connection with the consideration of the petition for a writ of certiorari filed by petitioners.

CHARLES S. ARONSTAM,
ARTHUR A. BALLANTINE,
JOHN M. HARLAN,
Counsel for Petitioners.